

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12CR200**

UNITED STATES OF AMERICA,

Vs.

VICTORIA L. SPROUSE.

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ORDER

THIS MATTER is before the court on the joint Proposed Peremptory Setting and Scheduling Order, which the court deems to be a motion. L.Cr.R. 47.1(A). For cause defendant states that counsel needs additional time to prepare for trial and to file pretrial motions. The motion reflects consultation and agreement by the government. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

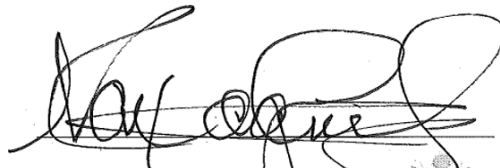
ORDER

IT IS, THEREFORE, ORDERED that defendant's the joint Proposed Peremptory Setting and Scheduling Order (#25), which the court deems to be a motion, is **GRANTED**, this matter is continued from the November 2012 criminal trial calendar and placed on and peremptorily set for trial during the **May 2013**¹ criminal trial term. Having carefully considered the reason given for the delay, the court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(B)(iv), as failure to grant such a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

¹ The joint motion mentions the April 2013 term, which, as an even month, is a civil trial term.

Specifically, the court finds that the defense needs additional time to conduct an independent investigation of the facts surrounding the charges and to prepare for trial. Further, the ends of justice served by granting such continuance outweigh the best interests of the public and the defendant in a speedy trial.

Signed: October 17, 2012



Max O. Cogburn Jr.
United States District Judge